

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Patricio Raul AHUMADA,

Defendant.

Mag. Case No. **'08 MJ 8470**

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326  
Deported Alien Found In the  
United States

The undersigned complainant being duly sworn states:

On or about May 24, 2008, within the Southern District of California, defendant Patricio Raul AHUMADA, an alien, who previously had been excluded, deported or removed from the United States to Chile was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 27<sup>th</sup> DAY OF MAY 2008.

  
PETER C. LEWIS  
U.S. MAGISTRATE JUDGE

I, Senior Border Patrol Agent Mikuski declare under penalty of Perjury, the following is true and correct:

### PROBABLE CAUSE STATEMENT

The complainant states that this complaint is based upon the investigative reports of Border Patrol Agent R. Guerra, that the Defendant, **Patricio Raul AHUMADA**, a citizen of Chile was found and arrested on May 24, 2008, west of Calexico, California.

On May 24, 2008, at approximately 8:00 A.M., Agent M. Lopez was performing her assigned Border Patrol Duties west of Calexico, California when she encountered a group of individuals waiting along State Highway 98 near mile marker 13. As Agent Lopez approached the group she identified herself and questioned them, including one individual later identified as AHUMADA. It was determined AHUMADA is a citizen of Chile illegally in the United States. AHUMADA was arrested.


At the Station a record check of AHUMADA revealed he was previously ordered removed from the United States on October 11, 2001. A further record check revealed AHUMADA has a serious criminal record.

There is no evidence AHUMADA sought or received permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security, to re-enter the United States after being removed.

Executed on May 25, 2008, at 8:00 AM.

  
Michael Mikuski  
Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page, I find Probable Cause to believe that the defendant named in this probable cause statement committed the offense on May 24, 2008 in violation of Title 8, United States Code, 1326

  
Honorable Jan M. Adler  
United States Magistrate Judge

5/25/08 @ 8:05 a.m.  
Date/Time